

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EDWARD BANKO,	)	
	)	Civil Action No. 06 - 1269
Plaintiff	)	
	)	Judge Thomas M. Hardiman
	)	Magistrate Judge Lisa Pupo Lenihan
vs.	)	
	)	
JEFFREY PRODEN,	)	
	)	
Defendant,	)	

**ORDER**

The above captioned case was filed on September 22, 2006, and was referred to Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

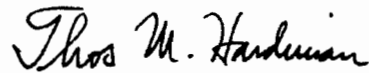
The Magistrate Judge's Report and Recommendation (Doc. No. 9), filed on November 16, 2006, recommended that Plaintiff's "MOTION/PETITION of Restraint and Other Subjectives to be Honored by U.S. Order" (Doc. No. 8), be treated as a motion for temporary restraining order and be denied. Service was made on plaintiff at S.C.I. Waymart and he filed objections to the Report and Recommendation on December 4, 2006 (Doc. No. 10). Plaintiff's objections have been reviewed and have been determined to be without merit.

After review of the pleadings and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 9<sup>th</sup> day of January, 2007;

**IT IS HEREBY ORDERED** that the Plaintiff's "Motion/Petition of Restraint and Other Subjectives To Be Honored By U.S. Order/Relief" is **DENIED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation (Doc. No. 9) of Magistrate Judge Lenihan, dated November 16, 2006, is adopted as the opinion of the court.

A handwritten signature in black ink, reading "Thos M. Hardiman". The signature is written in a cursive style with a horizontal line underneath.

Thomas M. Hardiman  
United States District Judge

cc: Lisa Pupo Lenihan  
U.S. Magistrate Judge

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